

## Chapter 13.08

### STORM DRAINS

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#### 13.08.010 Entry into storm drain facilities.

No person shall enter into any storm drain, storm drain ditch, storm drain pipe, flood control channel, or any other facility owned by any public agency for the purpose of transporting or diverting storm drain water, except public officers or employees, or persons holding the express written permission from the public works director of the city, or the chief engineer of the Los Angeles County Flood Control District; provided, however, that this section shall be applicable only to a storm drain facility where there is in place at each entrance of the facility and along the boundaries of the facilities at intervals not more than three hundred feet, a substantial sign, the face of which is not less than one square foot in area upon which, in legible letters not less than two inches in height, either black against a white background, or white against a black background, appear the words "NO TRESPASSING - DO NOT ENTER." (Ord. 314 § 1, 1975)

#### 13.08.020 Dumping of unlawful substances into storm drains prohibited.

A. No person shall discharge or deposit or cause or suffer to be discharged or deposited in any channel, gutter, inlet, storm drain, or swale, or to flow across any public property any material from any source which will or may cause or result in the pollution of any underground or surface waters, obstruction to the flow in storm drains, or other interference with the proper operation of the storm drain system. Prohibited discharges or deposits include, but are not limited to, flammable or explosive solids, liquids or gases; litter; leaves, dirt, or other landscape debris; food wastes; ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, manure; and any other solid or viscous substance capable of causing such interference.

B. No person shall discharge or cause to be discharged any sewage, waters or vapors into any open channel, gutter, inlet, storm drain, or swale, or to permit to flow across public property any of the following:

1. Wash waters when gas stations, auto repair garages or other types of automotive service facilities are cleaned;
2. Untreated wastewater from mobile auto washing, steam cleaning, mobile carpet cleaning, and other such mobile commercial and industrial operations;
3. Discharges from areas where repair of machinery and equipment, including motor vehicles, which are visibly leaking oil, fluid or antifreeze, is undertaken, to the maximum extent practicable;
4. Discharges of untreated runoff from storage areas of materials containing

grease, oil or other hazardous substances, and uncovered receptacles containing hazardous materials;

5. Discharge of commercial or municipal swimming pool filter backwash;

6. Discharge of untreated runoff from the washing of toxic materials from paved or unpaved areas;

7. Discharge from washing out of concrete trucks;

8. Any pesticide, fungicide, or herbicide banned by the United States Environmental Protection Agency or the California Department of Pesticide Regulation.

C. To the maximum extent practicable, no person shall wash any impervious surface in any industrial or commercial area so as to result in a discharge of untreated runoff to the storm drain system unless such washing is specially required by state or local health and safety codes.

D. Each person who owns, manages, or operates any industrial or commercial parking lot with more than twenty-five parking spaces which is located in any area potentially exposed to stormwaters shall regularly remove debris from such lot by sweeping or other equally effective measure.

E. Each person who owns, manages, or operates any machinery or equipment which is to be repaired or maintained shall use best management practices or shall place the machinery or equipment that is to be repaired or maintained in such a place that leaks, spills, and other maintenance-related pollutants are not discharged to the storm drain system.

F. All hazardous substances and hazardous materials shall be stored in such a manner as to prevent such substances or materials from coming into contact with

stormwater or other runoff which discharges into the storm drain system. It is unlawful for any person to dispose of any hazardous waste in any trash container used for municipal trash disposal.

G. In any area exposed to stormwater, all fuels, chemicals, fuel and chemical wastes, animal wastes, garbage, batteries, and other materials shall be removed and lawfully disposed of in a manner so as to avoid potential adverse impacts on water quality.

H. No person shall connect to the storm drain system unless such connection has been specifically permitted in accordance with the provisions of federal, state and local law.

I. No grading permit shall be issued for any development with a disturbed area of five acres or greater unless the applicant can show that:

1. A notice of intent to comply with the state construction activity stormwater permit has been filed and;

2. A stormwater pollution prevention plan has been prepared. (Ord. 606 § 1, 1996; Ord. 563 § 1, 1993)

### **13.08.030 Exceptions.**

Notwithstanding any provision of Section 13.08.020, the following discharges to the storm drain system are not prohibited:

A. Flows from riparian habitats or wetlands;

B. Springs and diverted stream flows;

C. Rising groundwaters and uncontaminated groundwater infiltration;

D. Discharges or flows from emergency firefighting activities;

E. Landscape irrigation, lawn watering, and irrigation water;

F. Foundation drains, footing drains, water from crawl space pumps, and air conditioning condensate;

G. Dechlorinated swimming pool discharges;

H. Individual residential car washing;

I. Water line flushing;

J. Street washing (including sidewalk washing), provided, however, that municipal street washing undertaken by the city shall be subject to such best management practices as are required by law; and

K. Potable water sources, provided the discharges are managed in accordance with an approved industry-wide standard pollution preservation practice developed by the American Water Works Association, California-Nevada Section, or equivalent document; and in compliance with any further requirements established by resolution of the city council; and

L. Any discharge regulated under an NPDES permit issued to the discharger and administered by the state of California under the authority of the United States Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit and other applicable laws or regulations; and

M. Other discharges specifically permitted by law. (Ord. 606 § 2, 1996)

### **13.08.040 Construction and application.**

A. For purposes of this chapter, the following definitions shall apply:

"Best management practices" or "BMPs" means activities, practices, facilities, and/or procedures that when implemented to their maximum efficiency will prevent or reduce pollutants in discharges. BMPs include, but are not limited to,

public education and outreach, proper planning of development projects, proper clean out of catch basin inlets, and proper sludge or waste handling and disposal, among others, to control runoff, spillage, leaks, and contamination of the waters of the United States.

"Dechlorinated swimming pool discharges" means swimming pool discharges, excluding swimming pool filter backwash, which have no measurable chlorine and do not contain any detergents, wastes, or additional chemical not typically found in swimming pool water.

"Hazardous material" means any material defined as hazardous by Chapter 6.95 of Division 20 of the California Health and Safety Code.

"Hazardous substance" means any substance designated pursuant to Title 40 Code of Federal Regulations ("CFR") 302, and any unlisted hazardous substance which is a solid waste, as defined in 40 CFR 261.2, which is not excluded from regulation as a hazardous waste under 40 CFR 261.4(b), and which is a hazardous substance under Section 101 (14) of the Federal Clean Water Act because it exhibits any of the characteristics identified in 40 CFR 261.20 through 261.24.

"Hazardous waste" means any hazardous material or hazardous substance which is to be discharged, discarded, recycled, or processed.

"NPDES" means National Pollutant Discharge Elimination System.

"Pollutant" means any substance defined as a pollutant pursuant to Section 502(6) of the Federal Clean Water Act (33 U.S.C. Section 1362(6)), or pursuant to Section 13373 of the California Water Code. Pollutant shall not include any



discharge exempted from the provisions of this Chapter pursuant to Section 13.08.030.

B. The provisions of this chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and existing or future NPDES permits, and any amendment, revision or re-issuance thereof. Any person who violates any provision of this chapter may also be in violation of such Federal act, NPDES permit, or other federal or state law, and subject to the sanctions thereof.

C. The provisions of this chapter shall not be deemed to waive or supplant any other provision of this code, and in the event of conflict, the more stringent requirement in terms of preservation of the public health, safety, and welfare, shall prevail. (Ord. 606 § 3, 1996)

### **13.08.050 Enforcement.**

A. For the first failure to comply with any provision of this chapter, the enforcing officer shall issue to the violator a notice explaining the issues associated with stormwater

pollution and warning of the nature of the violation. Such notice shall include information as to the action required to be taken to correct the violation, if any, and the time within which such action shall be completed. Such notice shall also contain information as to the fines and costs which may be imposed for failure to comply with the notice to correct and/or for subsequent violations of this chapter.

B. Any person who fails to comply with any provision of any notice issued pursuant to subsection A of this section within the time period(s) set forth therein shall be guilty of a misdemeanor.

C. Any person who fails to comply with any of the provisions of this chapter by undertaking any subsequent action prohibited by this chapter after having received notice pursuant to subsection A of this section shall be guilty of a misdemeanor.

D. The city may declare any violation of this chapter a nuisance, and abate it in accordance with the procedures of Chapter 8.48 of this code. (Ord. 627 § 25 (part), 2001: Ord. 606 § 4, 1996)